

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RICHARD E. MROCH,

Petitioner,

v.

Case No. 04-CV-470

UNITED STATES OF AMERICA,

Respondent.

ORDER

Richard E. Mroch ("Mroch") has filed a petition under 28 U.S.C. § 2255 to vacate, set aside, or correct the current federal sentence he is serving. In his petition, Mroch alleges his trial attorney, Michael Barth ("Barth"), was ineffective for failing to adequately discuss plea negotiations with him.

In order to fully address the merits of Mroch's claim, the court now directs that Barth prepare and submit an affidavit detailing all relevant discussions he had with counsel for the government and Mroch concerning disposition of Mroch's case short of trial, including any plea offered by the government together with an assessment of relevant sentencing guidelines depending on whether Mroch proceeded to trial.

To the extent that Barth's file in this case contains any relevant written materials, including correspondence, proposed plea agreements, whether proffered by the defense or the government, written memorialization of any conversation(s) with Mroch and/or counsel for the government, copies of the same shall be included with

counsel's submission. These materials, together with counsel's affidavit, must be filed with the court not later than **Thursday, February 15, 2007**.

SO ORDERED.

Dated at Milwaukee, Wisconsin, this 19th day of January, 2007.

BY THE COURT:

s/J. P. Stadtmueller
J. P. STADTMUELLER
U.S. District Judge